

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI,

Plaintiff,

v.

JOANNE M. DEFREEST, JAY P. DRISCOLL,  
CHRISTOPHER MCNEILL and CHRISTINE  
M. CONNOLLY,

Defendants.

No. 12 Civ. 1160 (JPO)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying (1) Memorandum of Law in Support of Defendants' Motion To Dismiss the Amended Complaint, and (2) the Declaration of Ellen Blain, dated September 14, 2012, and exhibits thereto, defendants United States Probation Officers Joanne M. DeFreest, Jay P. Driscoll, Christopher McNeill and Christine M. Connolly, by their attorney, Preet Bharara, United States Attorney for the Southern District of New York, hereby move this Court for an order dismissing the complaint against them for lack of subject matter jurisdiction, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, and for failure to state a claim, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), responsive papers, if any, shall be served no later than September 28, 2012. Reply papers, if any, shall be served within seven days after service of the responsive papers.

Date: September 14, 2012  
New York, New York

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendants

By: /s/ Ellen Blain  
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